

DETAILED ACTION

Applicant's reply filed 1/09/08 is acknowledged. Claims 18-19, 21-26, 28-30, 45, 47-48, 51-52, 53-54 are pending. Claims 1-17, 20, 27, 31-44, 46 and 49-50 have been canceled. Claims 23, 26 and 30 were withdrawn

Claim Objections

Claim 24 is also objected to because the "flexible member" is drawn into the claim (see the recitation of " wherein the tubular body surrounds and encloses the flexible member therein" (last line) while the "flexible member" does not appear to be the claimed invention (see preamble). Is the "flexible member", a required part of the device or not? This raises the question of whether the combination or subcombination is being claimed. The examiner will consider claim 24 drawn to a combination of the flexible member and a guide and supporting member for examination purposes.

Claims 45 and 47, the phrase "wherein the there are..." (both in line 7) words between "the and there" appear to be missing. Appropriate correction is required.

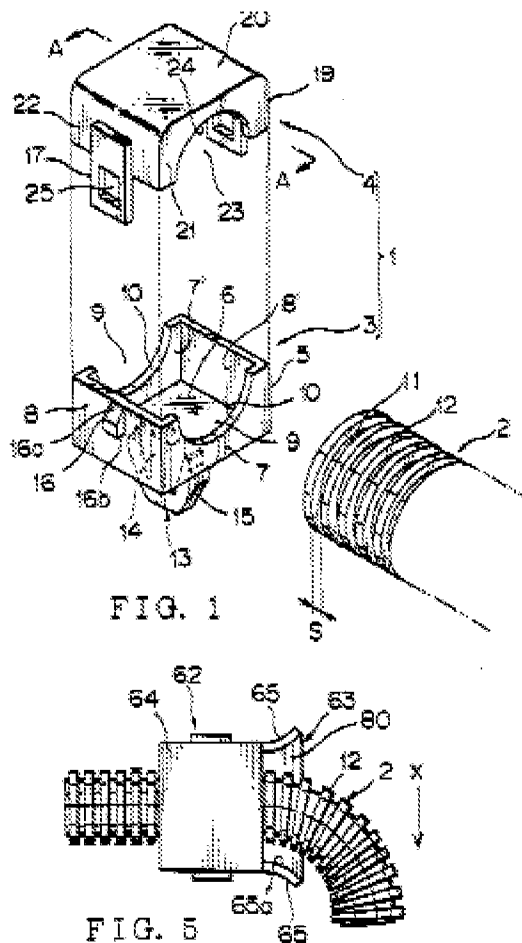
Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 18-19, 21-22, 28 and 54 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,595,473 to Aoki et al.

Art Unit: 3633

As to claims 18-19, Aoki et al. discloses a fixing structure comprising a curved tubular elongated body 2 (Figs 1 and 5) having a predetermined bend (Figs. 1 & 5) between first and second ends, the first end including a collar (see attached copy in view of the marked-up attached of the previous action) comprising a first circumferential flange, a second circumferential flange and a seat extending between said flanges; wherein the body and collar form of a one piece construction and having a guide (62); and a central passageway, the passageway including at least one inner surface (inside 2).



As to claim 21, wherein the predetermined bend maintains said guiding and supporting member at a predetermined bend radius.

As to claim 22, wherein said elongated body is open at said first end and at a second end for receiving the elongated member, said second end including a second collar comprising first and second flanges and a seat extending between the first and second flanges of the second end.

Claims 28 and 54 recited limitations similar to those recited in claims 18-19 and 21-22 are therefore also read on Aoki et al.

Claims 45, 47-48 and 51-52 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,068,705 to Cofer et al.

As to claims 45 and 47, Cofer et al. discloses an elongated tubular body 24 (Fig. 1) defining a passageway, the tubular body being curved at a predetermined radius; at least one roller (218, 220) body disposed along a length of the tubular body; wherein the tubular body has an opening in which at least a portion of the roller body protrudes within the opening so that the flexible member can travel thereon, wherein there are a plurality of roller bodies (218, 220) mounted to a frame in corresponding openings; and a guide (220 curved bearing surfaces of rollers (being concave) constitute a guide) with said tubular body.

As to claim 48, wherein the least one roller body is mounted to the tubular body.

As to claim 51, wherein the each roller body is associated with a corresponding opening in the elongated body.

As to claim 52, wherein the least one roller body is disposed along a curved length of the tubular body.

Allowable Subject Matter

Claims 24-25 are objected to, but would be allowable if rewritten or amended to overcome the objection by rewriting the language to be consistent between the body and the preamble of the claim in term of combination.

Claims 29 and 53 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Even though the use of flexible tube and roller are known. But there is no combination of the tube with first end and second ends having collar comprising first flange and second flange and a seat extended between in combination with roller and the tube surround and encloses the flexible member.

Response to Arguments

Applicant's arguments with respect to independent claims 18, 24, 28, 29, 45 and 47 have been considered but are moot in view of the new ground(s) of rejection.

The new ground of rejection is not necessitated by the amendment. Accordingly, this action is made **Non-Final**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (571) 272-6818. The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. L./
Examiner, Art Unit 3632

/Brian E. Glessner/
Supervisory Patent Examiner, Art Unit 3633